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DATE	June 7, 2006		
TO	Examiner Marc McDieunel	FAX	571-273-8300
FIRM	USPTO		
SUBJECT	Application Serial No. 10/823,386		
MY FILE	022273-000400US		
YOUR FILE			
MESSAGE: Please deliver to: Examiner Marc McDieunel Art Unit 3661			

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JUN 07 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

William J. Johnson

Application No.: 10/823,386

Filed: April 12, 2004

For: SYSTEM AND METHOD FOR
PROACTIVE CONTENT DELIVERY
BY SITUATIONAL LOCATION
||

Customer No.: 53245

Confirmation No. 3386

Examiner: Marc McDieunel

Technology Center/Art Unit: 3661

TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Transmitted herewith are:

Amendment After Allowance;

Fee Transmittal for FY 2006;

Credit Card Payment Form.

Respectfully submitted,


Jonathan E. Jobe
Reg. No. 28,429

Jonathan E. Jobe, P.C.
11625 Sawtooth Court
Truckee, CA 96161
Tel: 619-379-1172
Fax: 530-550-8920

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, MAIL STOP: Amendment, Box No. 871-273-8300 on 06/07/2006.

By: Jonathan E. Jobe

PATENT
Attorney Docket No.: 022273-000400US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AMENDMENT AFTER ALLOWANCE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.312, please considered and enter the following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 17 of this paper.

Page 1 of 18

automatically communicating requests containing physical location coordinates of said receiving system to said service, by system event means for said receiving system over an internet connection to said service, said physical location coordinates automatically determined for said receiving system;

automatically determining by said service that said receiving system is eligible to receive said information;

automatically retrieving from a deliverable content database by said service said information according to a situational location including said physical location coordinates, said information for user interface presentation by, and for immediate delivery to, said receiving system, said situational location newly encountered by said receiving system; and

automatically sending said information from said service to said receiving system over an internet connection.

2 (previously presented): The method of claim 1 further including the step of presenting said information to a user interface of said receiving system.

3 (previously presented): The method of claim 1 further including the step of automatically determining a candidate delivery event for said receiving system by said receiving system according to a movement tolerance and communicating a request containing physical location coordinates to said service.

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Page 2 of 18

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PTO/SB/17 (01-06)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL **For FY 2006**

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 50.00

Complete if Known

Application Number 10/823,386
Filing Date April 12, 2004
First Named Inventor William J. Johnson
Examiner Name Marc McDieunel
Art Unit 3661
Attorney Docket No. 022273-000400US

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$)

89 - 20 or HP = 2 x 25 = 50

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$)

3 or HP = 3 x 200 = 600

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

100 - 100 = 0 / 50 = 0 (round up to a whole number) x 125 = 0

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

SUBMITTED BY

Signature

Registration No. 28,429
(Attorney/Agent)

Telephone 619-379-1172

Name (Print/Type) Jonathan E. Jobe

Date June 7, 2006

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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